

STATE OF MONTANA  
OFFICE OF THE GOVERNOR  
EXECUTIVE ORDER 16-87

STATE LAW LIBRARY  
AUG 19 1987  
OF MONTANA

---

EXECUTIVE ORDER CREATING THE  
CRIMINAL JUSTICE AND CORRECTIONS ADVISORY COUNCIL

---

WHEREAS, the inmate population at Montana State Prison continues to increase and will soon exceed the Prison's capacity; and

WHEREAS, the 51st Legislature will be required to consider major expenditures for prison construction and increased prison operational costs; and

WHEREAS, incarcerating additional prison inmates will reduce the funding available for education and other state programs, and

WHEREAS, practical alternatives to another expansion of Montana State Prison should be explored before costly, long-term decisions are made.

NOW, THEREFORE, I, TED SCHWINDEN, Governor of the State of Montana, by virtue of the authority vested in me pursuant to the Constitution and laws of the State of Montana, specifically Section 2-15-122, MCA, do hereby create the Criminal Justice and Corrections Advisory Council.

I. PURPOSE

The Council is charged with thoroughly reviewing Montana's existing Criminal Justice and Correctional Systems, and recommending modifications to those systems which will better serve the public interest. Specifically, the Council shall:

- a. Review Montana's sentencing statutes and, if necessary, recommend modifications.
- b. Determine whether sentences imposed for similar crimes differ significantly from one judicial district to another and recommend appropriate action if sentencing disparities are found.
- c. Review present parole and good time statutes and policies to determine whether parole and the rewarding of good time accomplish their intended purpose and, if necessary, recommend modifications.

- d. Determine the feasibility of establishing additional pre-release centers.
- e. Review sentencing alternatives used by other states which have proven effective and recommend those alternatives which are most appropriate to Montana.
- f. Review Montana's correctional programs which are designed to assist the inmate's transition back into society, such as chemical dependency treatment, mental health therapy, education and job training, to determine the effectiveness of such programs, and whether such programs should be modified or expanded.
- g. Recommend a practical method to require that offenders financially compensate their victims and/or provide service to tax supported entities.
- h. Project future inmate population and inmate housing requirements based on current policies and practices, and modify those projections based on any recommendations to change current practices.
- i. Solicit public comment on the existing Criminal Justice and Corrections Systems, and on Council recommendations to modify those systems.

The Council's findings and recommendations shall be submitted in writing to the Governor no later than September 1, 1988.

## II. COMPOSITION AND TERMS OF APPOINTMENT

The Council shall consist of the following persons who shall serve at the pleasure of the Governor:

Senator Al Bishop  
2713 Downer Lane  
Billings, MT 59102

Ms. Margaret L. Borg  
317 Woody St.  
Missoula, MT 59801

Rep. Dorothy Bradley  
919 West Lamme  
Bozeman, MT 59715

Mr. Henry E. Burgess  
1506 Leslie  
Helena, MT 59601

Mr. B.F. "Chris" Christiaens  
2110 36th St. North  
Great Falls, MT 59401

Mr. Frank M. Davis  
Box 149  
Dillon, MT 59729

Mr. Donald D. Dupuis  
Tribal Court  
Box 278  
Pablo, MT 59855

Mr. David E. Fuller  
Box 4124  
Helena, MT 59604

Mr. Mike Lavin  
Board of Crime Control  
303 N. Roberts Rm. 463  
Helena, MT 59620

Mr. Mike McGrath  
514 Hayes  
Helena, MT 59601

Mr. Ted L. Mizner  
Powell County Courthouse  
Deer Lodge, MT 59722

Mr. Henry Risley  
Montana State Prison  
400 Conley Lake Road  
Deer Lodge, MT 59722

Mr. Daniel D. Russell  
Department of Institutions  
1539 Eleventh Avenue  
Helena, MT 59620

Mr. Mike Schafer  
Yellowstone County Sheriff's Office  
Box 35017  
Billings, MT 59107

Representative Bob Thoft  
1520 South Burnt Fork Rd.  
Stevensville, MT 59870

Senator Fred Van Valkenburg  
219 University Avenue  
Missoula, MT 59801

The chairman of the Council shall be Mr. David E. Fuller.

### III. ADMINISTRATIVE ASSISTANCE

The Department of Institutions shall provide staff assistance to the Council.

### IV. COMPENSATION

Each council member who is not a full-time salaried employee of the state or a political subdivision of the state is entitled to be compensated \$25 for each day in which he or she is actually and necessarily in the performance of council duties. All council members are entitled to reimbursement for travel expenses as provided in 2-18-501 through 2-18-505, MCA, incurred while in performance of council duties. The Department of Institutions shall pay the compensation and expense reimbursement.


### V. DURATION

This Council shall exist until September 1, 1989.

GIVEN under my hand and the GREAT  
SEAL of the State of Montana, this  
12<sup>th</sup> day of August,  
in the year of our LORD, One  
Thousand Nine Hundred and Eighty-  
Seven.

  
TED SCHWINDEN, GOVERNOR

ATTEST:

  
JIM WALTERMIRE, SECRETARY OF STATE